

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS (LULAC), et al.,

Plaintiffs,

v.

GREG ABBOTT, et al.,

Defendants.

Civil Action No. 3:21-cv-00259
(Lead Case)

FAIR MAPS TEXAS ACTION
COMMITTEE, et al.,

Plaintiffs,

v.

GREG ABBOT, et al.

Defendants.

Civil Action No. 3:21-cv-01038
(Consolidated Case)

**UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL OF PLAINTIFF DONA
MURPHEY**

Pursuant to Federal Rule of Civil Procedure 21, or in the alternative Rule 41(a)(2), Fair Maps Plaintiffs move for the voluntary dismissal of Dona Murphey as a party in this action. Counsel for Fair Maps Plaintiffs have conferred with counsel for Defendants, who have indicated they do not oppose this motion. All other Fair Maps Plaintiffs will remain in this litigation.

Rule 21 provides that the court may “[o]n motion or on its own . . . at any time, on just terms, add or drop a party.” Rule 41(a)(2) similar provides that “an action may be dismissed at the plaintiff’s request only by court order, on terms that the court considers proper.” The Court recently granted an unopposed motion to voluntarily dismiss another plaintiff in this action pursuant to these rules. (ECF No. 763).

Ms. Murphey has moved out of state, and thus her claims for declaratory and injunctive relief arising out of this matter, and her former residency in Congressional District 9, are moot. The remaining Fair Maps Plaintiffs will continue to pursue the claims in Fair Maps Plaintiffs' Second Amended Complaint (ECF No. 502), and Fair Maps Plaintiffs have demonstrated standing as to the specific challenged district Plaintiff Murphey resides in—Congressional District 9—through Organizational Plaintiffs' members. (*See* ECF No. 502 at 3-14, ¶¶ 12(a), 12(b), and 14(a)). As such, the withdrawal of Plaintiff Murphey does not affect the Fair Maps Plaintiffs' asserted claims in that district.

Accordingly, Fair Maps Plaintiffs respectfully request that this Court enter an order voluntarily withdrawing Dona Murphey, with prejudice, from this litigation.

Date: May 7, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically using the CM/ECF system on May 7, 2024, which will notify and serve all counsel of record.

/s/ Hilary Harris Klein
Hilary Harris Klein

CERTIFICATE OF CONFERENCE

I certify that on May 7, 2024, Fair Maps Plaintiffs' counsel conferred via email with counsel for Defendants, as well as the other Consolidated Plaintiffs and Intervenors, who are not opposed to the motion to withdraw requested here.

/s/ Hilary Harris Klein

Hilary Harris Klein